INTRODUCTION

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15123, this section summarizes the proposed project, significant impacts, and proposed mitigation measures. The summary is organized around the following topics:

- Purpose of the Environmental Impact Report (EIR)
- Project Synopsis
- Issues Raised During Scoping
- Summary of Project Alternatives

PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

This Environmental Impact Report (EIR) has been prepared for the City of Encinitas (City), acting as the lead agency under CEQA Guidelines Sections 15050 and 15367, to analyze the potential environmental effects associated with implementation of the Piraeus Point project (collectively known as the project or the proposed project).

An EIR is a public informational document used in the planning and decision-making process. The purpose of the EIR is to demonstrate that the City has made a good faith effort at disclosing the potential for the project to result in significant impacts to the physical environment. As such, the EIR does not consider potential fiscal impacts, cost-benefit assessment, or social impacts. Nor does the EIR present recommendations to the decision-making bodies for approval or denial of the project based on the environmental findings. Rather, the EIR is intended to provide additional information about the project when, if, and at which time it is reviewed and considered by the City in its discretionary decision-making for the Piraeus Point project.

The City of Encinitas Planning Commission and City Council will consider the information in the EIR, public and agency comments on the EIR, and testimony at public hearings in their decision-making process. The public review comments will be incorporated and addressed in the Final EIR. As a legislative action, the final decision to approve, conditionally approve, or deny the proposed project is made by the City's City Council. The purpose of an EIR is to identify:

- Significant impacts of the proposed project on the environment and indicate the manner in which those significant impacts can be avoided or mitigated.
- Any unavoidable adverse impacts that cannot be mitigated.

- Reasonable and feasible alternatives to the proposed project that would eliminate any significant adverse environmental impacts or reduce the impacts to a less than significant level.

An EIR also discloses cumulative impacts, growth-inducing impacts, and impacts found not to be significant. CEQA requires that an EIR reflect the independent judgment of the lead agency regarding the impacts, disclose the level of significance of the impacts both without and with mitigation, and discuss the mitigation measures proposed to reduce the impacts.

The EIR is circulated to the public and other agencies that may have jurisdiction over affected lands or resources, such as the San Diego Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife. The purposes of public and agency review of an EIR include sharing expertise, disclosing agency analyses, checking for accuracy, detecting omissions, and understanding public concerns.

~~This~~ The Draft EIR ~~is being~~was distributed to agencies, organizations, and interested groups and persons for a 60-day review period in accordance with CEQA Guidelines Section 15087. The City will consider ~~and respond in writing to~~ all environmentally-related comments received during the review period prior to any action being taken on the project.

PROJECT SYNOPSIS

Lennar Homes of California, LLC. (applicant) proposes the development of a 149-home residential townhome community in the City of Encinitas. The project site is identified as one of 16 sites included in the City of Encinitas Housing Element Update, which the City adopted on March 13, 2019.

The project site is comprised of one parcel totaling approximately 6.88 gross acres [County of San Diego Assessor parcel number (APN) 254-144-01-00]. Additionally, the project includes a proposed "off-site preserve area" comprised of APN 216-110-35-00, totaling approximately 4.95 acres (gross). The proposed off-site preserve area would be preserved in perpetuity and left in its current undeveloped state in order to mitigate for biological impacts resulting from development of the project site.

The project includes a street vacation along portions of Piraeus Street and Plato Place. With City approval, an approximately 0.25 acre area along Plato Place and 0.71 acre area along Piraeus Street, adjacent to the project boundary, would be vacated. With approval of the vacation,

approximately 0.96 acres would therefore be added to the total (gross) acreage of the project site.[1]

The proposed development would consist of 52 one-bedroom homes, 37 two-bedroom homes, and 60 three-bedroom homes for a total of 149 residential units, which would be built within 16 individual three-story residential buildings. Of the 149 residential units, 134 would be market-rate homes and 15 would be "very low" income affordable homes. Proposed amenities include a pool, spa, pool house, and lounge seating. A total of 246 private garage parking spaces are planned, along with an additional 25 shared surface parking spaces for use by residents and their guests.

The project site is located within the Coastal Zone. City approval of a Condominium Tentative Map, Density Bonus Application, Street Vacation, Design Review Permit, and Coastal Development Permit (non-appealable) will be required (MULTI-005158-2022; CDP-005161; DR-005160-2022; and SUB-005159-2022).

ISSUES RAISED DURING SCOPING

In accordance with CEQA Guidelines Section 15082, the City prepared and distributed a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the project that was circulated for public review on May 26, 2022, with a comment deadline of June 25, 2022. The NOP comment period is intended to notify responsible agencies, trustee agencies, and the public that the City, acting as the lead agency, would be preparing an EIR for the project. The City determined the scope of the analysis for this EIR as a result of initial project review and consideration of agency and public comments received in response to the NOP. For more information regarding the NOP process, refer to Section 1.0. The NOP and the NOP comments are included in Appendix A to this EIR.

A Citizen Participation Program (CPP) public meeting was held for the proposed project on June 7, 2022 at Encinitas City Hall.

Key areas of concern, as conveyed during the NOP and CPP processes, are summarized below. While the list below summarizes all of the concerns raised, CEQA limits the EIR to evaluation of the project's physical impacts to the environment. A full range of economic and social considerations associated with the proposed project will be evaluated by City decisionmakers; however, pursuant to the provisions of CEQA, analysis and discussion of such considerations are not included in this EIR.

[1] Note that the project applicant is not including the additional 0.96 acres as part of the yield analysis.

- Visual effects; potential aesthetic impacts on historic viewsheds and scenic corridor
- Maintain the "rural" character of the local community and surrounding neighborhood
- Proposed building height relation to surrounding residential neighborhood
- Potential visual effects from proposed on-site retaining walls
- Compatibility with existing neighborhood character; project design
- Nighttime lighting effects on dark skies
- Residential density proposed; exceedance of residential zoning allowances
- Effects on air quality from dust generation during construction and increased vehicle traffic during operations
- Impacts on biological resources, particularly on the off-site preserve area (direct impacts on sensitive resources; indirect impacts from runoff, light, noise, domestic pets, wildlife corridor)
- Geologic/soils issues due to prior landslide events on-site and proximity to Rose Canyon and La Costa Faults; Instability of inland bluffs
- Release of hazardous materials or fumes from on-site soils (former on-site agricultural use) during project grading and excavation activities
- Protection of natural drainages from runoff; maintaining stormwater quality
- Drainage effects; potential for increased flooding to occur
- Noise - both during construction and from occupancy of rooftop decks by project residents and park-goers (nearby Olympus Park, south of project site); increased noise on Interstate 5 (I-5) from contribution of project traffic
- Increased traffic on local streets; traffic congestion during both construction and operations and potential effects on emergency response
- Maintaining pedestrian and bicycle safety on local streets (during project construction and operation); safety of children walking to local elementary school; lack of area sidewalks
- Access to public transportation
- Increased demands on water, wastewater, and electrical infrastructure
- Adequacy of water supplies and potential effects on increased water use restrictions
- Protection of tribal cultural resources; potential for known and unknown on-site resources to be present
- Project effects on fire/other emergency evacuation; limited emergency access
- Increased risk of wildfire
- Qualifications for low-income housing recipients
- Inadequate provision of on-site parking
- Effects on neighborhood cleanliness; generation of debris
- Access improvements onto La Costa Avenue from Piraeus Street
- Potential for provision of left turn lane onto Leucadia Avenue from Piraeus Street

- School capacity (e.g., Capri Elementary School) and potential overcrowding
- Use of the off-site parcel as mitigation land and overall buildable area of the subject site

SUMMARY OF SIGNIFICANT EFFECTS

Based on the analysis within this EIR, transportation impacts related to vehicles-miles-traveled (VMT) cannot be mitigated to less than significant levels. Therefore, transportation impacts are significant and unavoidable.

ISSUES TO BE RESOLVED BY THE DECISION-MAKING BODY

An EIR is an informational document intended to inform decision-makers and the public of the significant effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the proposed project. As the lead agency, the City of Encinitas must respond to each significant effect identified in this EIR by making "findings" for each significant effect. As part of the decision-making process, the City must determine whether or how to mitigate the associated significant effects of the project, including whether to implement a project alternative.

Approval of the project despite identified significant and unavoidable environmental impacts would require a Statement of Overriding Considerations, explaining why the benefits of the project outweigh the environmental effects, as set forth in this document.

SUMMARY TABLE

Table ES-1, Environmental Impact Summary, identifies the areas of environmental impact the project will generate, and when feasible, mitigation measures to reduce those potential impacts.

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Table ES-1:
Environmental Impact Summary

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
Aesthetics			
3.1-1 Would the project have a substantial adverse effect on a scenic vista?	Less than Significant	No mitigation measures required.	Less than Significant
3.1-2 Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Less than Significant	No mitigation measures required.	Less than Significant
3.1-3 Would the project substantially degrade the existing visual character or quality of the site and its surroundings?	Less than Significant	No mitigation measures required.	Less than Significant
3.1-4 Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than Significant	No mitigation measures required.	Less than Significant
3.1-5 Would the project result in cumulative aesthetic impacts?	Less than Significant	No mitigation measures required.	Less than Significant
Air Quality			
3.2-1 Would the project conflict with or obstruct implementation of the applicable air quality plan?	Less than Significant	No mitigation measures required.	Less than Significant
3.2-2 Would the project expose sensitive receptors to substantial pollutant concentrations?	Potentially Significant	**AQ-1 Install MERV-16 Filters Within Homes.** During project construction, MERV-16 filtration systems shall be installed within each residence.	Less than Significant
3.2-3 Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less than Significant	No mitigation measures required.	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.2-4 Would the project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?	Less than Significant	No mitigation measures required.	Less than Significant
Biological Resources			
3.3-1 Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	Potentially Significant	**BIO-1** **On- and Off-site Preservation of Sensitive Habitat.** The majority of preservation goals and required mitigation ratios for impacted vegetation communities (see Tables 3-3, 4-1, and 6-1 of the Biological Technical Report; ECORP Consulting, Inc., November 2022) shall be met through establishment of the on-site and off-site adjacent Preserve Area. Prior to grading, establishment of the Preserve Area shall preserve in place 5.51 acres (on-site/off-site), including 100% (0.71-acre) of California Department of Fish and Wildlife sensitive Diegan Coastal Sage Scrub/Lemonade Berry Scrub and 72% (0.81-acre) of California Department of Fish and Wildlife sensitive Southern Mixed Chaparral/Chamise-Mission Manzanita Chaparral (Table 3-4 of the Biological Technical Report; ECORP Consulting, Inc., November 2022). Preservation in perpetuity of the vegetation and habitat within the aforementioned Preserve Area shall occur and be set aside as an open space conservation easement in favor of the City of Encinitas. No trails shall be permitted within the open space conservation easement. In addition, prior to any grading, a long-term management plan shall be prepared for the mitigation areas, to the satisfaction of the City~~,~~ and the W~~w~~ildlife A~~a~~gencies. The preserve management plan shall provide an entity and endowment funding to maintain the biological open space in perpetuity. Such entity shall approve the endowment amount based on a Property Analysis Record or similar cost estimation method. Additionally, the long-term management plan shall include provisions	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		stating that any planting stock planned to be brought onto the project site shall first be inspected by a qualified pest inspector to ensure that it is free of pest species that could invade natural areas of the adjacent preserve area. Stock determined to be infested with pests shall be quarantined, treated, or disposed of according to best management practices provided by the pest inspector to prevent invasions into the adjacent preserve area. All permanent lighting for the project adjacent to the preserve area shall be directed away from the preserve area, and lighting from the proposed residences adjacent to the preserve area shall be shielded with vegetation, as necessary. **BIO-2** **Biological Monitoring.** A qualified biologist (biological monitor) with experience monitoring for and identifying sensitive biological resources known to occur in the area shall be present during all staging, fencing, site preparation, vegetation clearing, and ground-disturbing activities related to the project ~~regardless of permit association~~to the satisfaction of the City, permit requirements, and other environmental commitments made. ~~A biological monitor shall be present to ensure wildlife species are relocated out of the impact area.~~ The biological monitor, with assistance from crews when necessary, shall ~~also~~ deconstruct woodrat middens prior to vegetation clearing within the Development Area. Woodrat middens within the Fire Management Zone shall be protected in place to the maximum extent practicable, but may be deconstructed if deemed a fire hazard. Biological monitoring duties include, but are not limited to, conducting worker education training, verifying compliance with the project's biological resources protection requirements, and periodically	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		monitoring the work area to ensure that work activities do not generate excessive amounts of dust and that impacts are restricted to the designation work areas. The biological monitor ~~. The biologist~~ shall be responsible for providing a Worker Environmental Awareness Training program with required elements to the project prior to the start of staging and construction activities, and be responsible for verifying that the Worker Environmental Awareness Training program has been provided to all personnel working on the project prior to the start of staging or construction activities. ~~to all personnel working on the project prior to the start of ground-disturbing activities.~~ The training shall include: ~~,~~ (i) the purpose for resource protection; (ii) a description of the gnatcatcher and its habitat; (iii) the compliance measures that should be implemented during project construction to conserve the sensitive resources, including strictly limiting activities, vehicles, equipment, and construction materials to the fenced project footprint to avoid sensitive resource areas in the field (i.e., avoided areas delineated on maps or on the project site by fencing); (iv) best management practices developed specifically for this project; (v) the protocol to resolve conflicts that may arise at any time during the construction process; and (vi) the general provisions of the environmental regulations that apply to the project, the need to adhere to the provisions of the Endangered Species Act, and the penalties associated with noncompliance with the Act and other regulations. The project shall maintain documentation on the implementation of the Worker Environmental Awareness Training. This documentation shall include education program materials and a record of workers that received the materials and information. ~~but not be limited to, discussions of the sensitive biological resources associated with the project, project-specific measures to avoid or eliminate impacts to these resources, consequences for not complying with project~~	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		~~permits and agreements, and contact information for the lead biologist. Attendees shall sign a sign-in sheet documenting their attendance at the training.~~ During ground-disturbing activities, including any vegetation removal within the Development Area and Fire Management Zone the biological monitor shall have the right to halt all activities in the area affected if a special-status wildlife species is identified in a work area and is in danger of injury or mortality. If work is halted in the area affected as determined by the biological monitor, work shall proceed only after the hazard(s) to the individual is removed and the animal is no longer at risk, or the individual has been removed from harm's way in accordance with the project's permits and/or management/translocation plans. The biological monitor shall take representative photographs of the ~~daily~~ monitored activities and maintain a ~~daily~~ monitoring log that documents general project activities and compliance with the project's biological resources protection requirements. The biologist shall document non-compliances in the ~~daily~~ log, including any measures that were implemented to rectify the issue. In order to ensure that the biological monitoring occurred during the grading phase of the project, a final biological monitoring report shall be prepared. The project biologist shall prepare the final biological monitoring report. The report shall substantiate the supervision of the grading activities, and confirm that grading or construction activities did not impact any additional areas or any other sensitive biological resources. The report shall include the following items: a. Photos of the fencing or temporary flagging that was installed during the trenching, grading, or clearing activities.	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		b. Monitoring logs showing the date and time that the monitor was on site. c. Photos of the site after the grading and clearing activities. The project biologist shall prepare the final report and submit it to the City for review and approval. **BIO-3A** **Rare Plant Salvage and Avoidance.** Establishment of the off-site preserve area (~~Mitigation~~ mitigation m~~M~~easure **BIO-1**) shall result in avoidance and protection of 103 California adolphia in place. Nine California adolphia individuals identified within the fuel modification zone~~FMZ~~ shall be flagged prior to fuel reduction activities and avoided in place. Project-related impacts to 145 California adolphia individuals and 0.02-acre of California adolphia occupied habitat are anticipated to be unavoidable, therefore salvage of seed and donation to a City refuge or preserve, donation to a local native plant nursery, or propagation within an off-site mitigation area shall be required to the satisfaction of the City. A qualified biologist shall collect seed from the California adolphia during the appropriate time, store under appropriate conditions, and coordinate with the appropriate personnel to facilitate propagation of the seed. California adolphia individuals within the fuel modification zone (9 individuals) shall be flagged for avoidance by a qualified botanist prior to development and thinning of the fuel modification zone and a qualified botanist shall be present during vegetation thinning of the fuel modification zone to ensure avoidance is properly achieved. ~~Run-off from the project shall be directed away from the off-site preserve area.~~ Dust control measures shall be implemented during construction to minimize impacts to rare plants within the adjacent preserve area. (see mitigation measure **BIO-1**) as an ongoing requirement for long-term maintenance activities associated with the project, including annual maintenance of the fuel modification zone.	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		BIO-3B **Project Landscaping Best Management Practices.** Project landscaping shall be limited to the development area and shall not include nonnative plant species that may be invasive to adjacent native habitats. The California Invasive Plant Council's (IPC) "Invasive Plant Inventory" list shall be consulted to determine such nonnative plant species that are not to be included in project landscaping. Project landscaping adjacent to the preserve area shall not include species that require intensive irrigation, fertilizers, or pesticides, and run-off from the project shall be directed away from the offsite preserve area. The Applicant shall submit a draft list of species to be included in the landscaping to the Service at least 45 working days prior to initiating project landscaping and will allow the USFWS an opportunity to verify that no Cal-IPC invasive plants are proposed for use. The Applicant shall submit to the US Fish and Wildlife Service the final list of species to be included in the landscaping within 30 days of receiving concurrence on the draft list of species, if any changes are necessary. A list of prohibited invasive species shall also be provided in the Homeowner Association's Covenants, Conditions, and Restrictions to the satisfaction of the US Fish and Wildlife Service. **BIO-4A** **Coastal California Gnatcatcher Protection and Pre-Construction Breeding Season Surveys.** Focused surveys determined presence of this species on the project site. Project-related impacts to two pair~~s~~ (4 individuals) and their territories are unavoidable, therefore the project applicant shall obtain US Fish and Wildlife Service~~WS~~ approval pursuant to Section 10 of the federal Endangered Species Act for the impacts to the coastal California gnatcatcher prior to the issuance of any grading permits. The on-site preservation of sensitive habitat (see mitigation measure **BIO-1**) would preserve one single male coastal California gnatcatcher territory in place and a small portion of one additional breeding pair's territory. The preserve area would allow for the safe	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		passage of the two displaced pairs of coastal California gnatcatchers to preserved habitat north of the project site and continuous with open space areas to the north, northeast (which includes at least one additional breeding pair of coastal California gnatcatchers within 500 feet of the off-site preserve area), and to Batiquitos Lagoon State Marine Conservation Area which functions to preserve important coastal-inland wildlife movement. If construction activities are planned within 500 feet of coastal sage scrub habitat during gnatcatcher breeding season, at least three pre-construction surveys shall be conducted a maximum of seven days prior to construction activities, one of which is to be performed the day immediately before beginning construction activities. The project shall require development of a Low-Effect Habitat Conservation Plan under Section 10 of the Endangered Species Act. **BIO-4B** **Construction Best Management Practices.** During construction, best management practices shall be implemented to minimize impacts to the coastal California gnatcatcher and avoid attracting its predators. The project site shall be kept clear of debris, including food-related trash items, and pets of project personnel shall not be permitted on the project site. **BIO-4C** **Coastal California Gnatcatcher Compliance Monitoring.** Due to the displacement of two pairs of coastal California gnatcatchers and the presence of suitable breeding habitat adjacent to the development, weekly compliance monitoring surveys shall be conducted by a 10(a)(1)(A) permitted gnatcatcher biologist throughout the coastal California gnatcatcher nesting season (February 15 to August 31) when initial vegetation removal, fence installation activities, and heavy construction activities are scheduled to occur within 500 feet of the preserve area(s) in order to avoid unanticipated impacts to this federally	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		listed species during the breeding season. Should an active coastal California gnatcatcher nest (e.g., nest with eggs or potential to hold eggs within one week, chicks, or fledglings still dependent on the nest) be found to occur within 500 feet of the project impact area, the Project Biologist shall establish a 500-foot buffer around the nest and will visibly flag the limits of the nest buffer in areas that overlap the project impact area. The contractor shall be immediately notified to stop work within the buffer and/or shift heavy construction activities to areas outside the 500-foot buffer until US Fish and Wildlife Service has been notified and noise monitoring measures below (mitigation measure **BIO-4D**) have been implemented. Nest updates shall occur on a weekly basis to update the nest status (active/inactive) and stage (incubation, nestlings, etc.). If no nesting behavior is observed after two hours of continuous observation and the 10(a)(1)(A) permitted gnatcatcher biologist has significant reason to believe that the nest is no longer active, the nest shall be approached to determine the state of the nest. Binoculars shall be used to the greatest extent practical to confirm gnatcatchers are no longer exhibiting breeding behaviors or tending to the nest prior to approaching the nest directly to determine the nest's fate. The Project Biologist shall use the distance to the project impact area and local topography to determine if construction activities are likely to significantly disturb nesting activities. The Project Biologist shall implement further measures to alleviate disturbance, including establishment of a noise monitoring station, turning off vehicle engines and other equipment whenever possible to reduce noise, recommendations for deployment of a temporary sound/visual barrier, and, if minimization measures are insufficient, temporarily halting construction activities within 500 feet during critical nest stages when abandonment is most likely to occur	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		(i.e., egg incubation). During this time, construction activities shall be directed to other areas farther than 500 feet from the active nest(s). Unrestricted construction activities may resume, with weekly compliance monitoring as described above, when the nest is deemed no longer active and no other active nests are found within 500 feet of the impact area. **BIO-4D** **Coastal California Gnatcatcher Noise Monitoring.** Construction noise levels shall not exceed an hourly limit of 60 A-weighted decibel units (dBA) equivalent noise level or ambient level (whichever is greater) when construction is within 500 feet of an active nest. Noise monitoring shall be conducted daily when construction activities are scheduled to occur within 500 feet of an active coastal California gnatcatcher nest. Noise levels shall be monitored by a qualified biological monitor under the authority of the 10(a)(1)(A) permitted gnatcatcher biologist at a pre-established noise meter station that has been selected by the 10(a)(1)(A) permitted gnatcatcher biologist (no closer than 30 feet from the nest and that replicates the distance, topography, and vegetative screening of the nest location in proximity to the project impact area). Measurements of noise levels shall be conducted in 1 minute intervals for at least 60 minutes per each measurement. Results of the noise monitoring shall be documented in the daily monitoring log and charted in a graph. Construction activities that exceed the 60-dB hourly threshold shall be halted by the noise monitor until effective noise reduction measures have been implemented or until the nest is deemed no longer active by the Project Biologist. **BIO-4E** **Coastal California Gnatcatcher Resident Education Program.** Prior to occupation of the project site, a resident education program shall be developed to advise residents of the occurrence of coastal California gnatcatchers in the project area how to prevent adverse impacts to	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		gnatcatchers resulting from insect pests or free-roaming pets; and potential penalties for killing, injuring, or harming the species. Informational pamphlets shall be distributed to each residence. The Applicant shall develop the resident education program in coordination with the US Fish and Wildlife Service as part of the Low-Effect Habitat Conservation Plan and Section 10 consultation process.	
		BIO-5 **Pre-Construction Survey for Nesting Birds and Special-Status ~~Avian~~ Species.** Where feasible, ground-disturbing activities, including vegetation removal, shall be conducted during the non-breeding season (approximately September 1 through ~~January~~ February 14) to avoid violations of the Migratory Bird Treaty Act and California Fish and Game Code §§3503, 3503.5 and 3513. Several species were identified as having potential to occur nest year-round; therefore, regardless of time of year, a pre-construction survey for nesting birds and special-status ~~avian~~ species shall be conducted by a qualified biologist (experienced in the identification of ~~avian~~ special-status species and conducting nesting bird surveys) if activities with the potential to disrupt nesting birds or impacting special-status avian species are scheduled to occur. The survey shall include the project and adjacent areas where project activities have the potential to cause nest failure or directly impact native wildlife. The pre-construction survey shall be conducted no more than three days prior to the start of ground-disturbing activities (including vegetation removal and fuel modification zone thinning) and repeated as necessary whenever these activities are scheduled to occur within the bird breeding season (February 15 through August 31 annually). ~~within the bird breeding season.~~ Site preparation and construction activities may begin if no nesting birds or special-status ~~avian~~ species are observed during the survey. If nesting birds or raptors or special-status avian species are found to be present, biological	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		monitoring in accordance with mitigation measure **BIO-~~3~~ 2** in addition to nest avoidance and minimization measures shall be implemented to avoid potential project-related impacts to the species. Avoidance and minimization measures shall be developed by the qualified biologist and may include seasonal work restrictions, additional nesting bird survey and nest monitoring requirements, and/or establishment of non-disturbance buffers around active nests until the biologist has determined that the nesting cycle is completed. The width of non-disturbance buffers established around active nests shall be determined by the qualified biologist (typically 300 feet for songbirds and 500 feet for raptors and listed species). The qualified avian biologist shall consider and have the authority to reduce or increase non-disturbance buffers based on vertical distances, species life history, sensitivity to disturbances, individual behavior and sensitivity to disturbances, nest stage (incubation, feeding nestlings, etc.), location of nest and site conditions, presence of screening vegetation or other features, ambient and ongoing construction activities at the time of nest establishment, and remaining project activities in the immediate area when determining non-disturbance buffers. Once nesting is deemed complete by the qualified biologist as determined through periodic nest monitoring, the non-disturbance buffer shall be removed by the qualified biologist and project work may resume in the area. The Pre-Construction Nesting Bird Survey shall be an ongoing requirement for long-term maintenance activities associated with the project, including annual maintenance of the fuel modification zone. **BIO-6** **Construction Fencing.** The limits of project impacts (including construction staging areas and access routes) shall be clearly delineated by the construction contractor under the direct supervision of a qualified biological monitor with bright orange plastic fencing, stakes,	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		flags, or markers that shall be installed in a manner that does not impact habitats to be avoided, and such that they are clearly visible to personnel on foot and operating heavy equipment. Silt fence barriers shall be installed as required to prevent the spread of silt from the construction zone into adjacent habitats and aquatic features. Temporary construction fencing and markers shall be maintained in good repair until the completion of project construction. The applicant shall submit the final plans for project construction to the City for approval at least 30 days prior to initiating project impacts. The applicant shall also submit to the US Fish and Wildlife Service, at least 5 working days prior to initiating project impacts, the final plans for initial vegetation clearing and project construction. These final plans shall include photographs that show the fenced limits of impact and areas to be impacted or avoided. The construction team shall strictly limit their activities, vehicles, equipment, and construction materials to the fenced area (development footprint). All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities shall occur in designated areas within the fenced project impact limits. These designated areas shall be located in previously compacted and disturbed areas to the maximum extent practicable in such a manner as to prevent any runoff from entering adjacent open space and shall be shown on the construction plans. Equipment fueling shall take place within existing disturbed areas. Contractor equipment shall be checked for leaks prior to operation and repair, as necessary. "No-fueling" zones shall be designated on construction plans. If work occurs beyond the fenced limits of impact, all work shall cease until the problem has been remedied to the satisfaction of the US Fish and Wildlife Service.	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		Temporary construction fencing and sediment trapping devices shall be removed upon project completion. **BIO-7** **Off-site Mitigation**. Prior to any grading, off-site mitigation shall be required for an additional 1.92 acres of impacts to sensitive and/or mitigated habitats not achieved within the preserve area including 1.60 acres of coastal sage scrub within the Coastal Zone and 0.32 acre of Southern Mixed Chaparral/Chamise-Mission Manzanita Chaparral. This can be achieved through purchasing of mitigation credits or acquiring additional land within the Coastal Zone. Because available land and established mitigation banks within the Coastal Zone are not available, and because the City of Encinitas Subarea Plan is still in draft form, purchasing of mitigation credits within a North County Multiple Habitat Planning Area mitigation bank (https://www.sandiegocounty.gov/content/sdc/pds/mitbnks.html) or at another City-approved preserve area in the process of being established shall be negotiated to the satisfaction of the City, California Department of Fish and Wildlife, and US Fish and Wildlife Service. **BIO-8** **Limited Building Zone Easement**. A Limited Building Zone Easement shall be granted to prohibit the building of structures that would require vegetation clearing within the protected biological open space for fuel management purposes. The easement must extend at least 100 feet from the Biological Open Space Boundary. Grant to the City of Encinitas a limited building zone easement to the satisfaction of the City. The only exceptions to this prohibition are structures that do not require fuel modification/vegetation management. The limited building zone easement shall also include language that rare plant avoidance within the limited building zone shall be required by requiring a biologist on site prior to any fuel management activities.	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		Prior to recordation of the Final Map, the applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map review. **BIO-9** **Open Space Signage.** In order to protect the proposed open space easement from entry, or disturbance, permanent fencing and signage shall be installed along the easement boundary as follows. Such fencing and signage shall be installed prior to any occupancy, final grading release, or use of the premises in reliance of the approved project permit. Open space signage shall be placed every 500 feet along the southern and western portion of the biological open space boundary. • Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed. • The sign must be corrosion resistant, a minimum of 6 inches by 9 inches in size, on posts not less than three feet in height from the ground surface, and must state the following: *Sensitive Environmental Resources Area Restricted by Easement* Entry without express written permission from the City of Encinitas is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the City of Encinitas, Development Services Department. Reference: MULTI-005158-2022 The applicant shall install the signage as indicated above and provide site photos and a statement from a California Registered Engineer, or	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		licensed surveyor that the open space signage has been installed at the open space easement boundary. The City of Encinitas Development Services Department shall review the photos and statement for compliance with this condition.	
3.3-2 Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	Potentially Significant	Implement mitigation measures **BIO-1**, **BIO-2, BIO-3**A to- **BIO-3B,** and **BIO-**6~~7~~ to ~~**BIO-8** and~~ **BIO-9**.	Less than Significant
3.3-3 Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than Significant	No mitigation measures required.	Less than Significant
3.3-4 Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Potentially Significant	Implement mitigation measures **BIO-1**, **BIO-2, BIO-4A** to **BIO-4E,** ~~to **BIO-3**~~ and **BIO-5** to **BIO-9.**	Less than Significant
3.3-5 Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than Significant	No mitigation measures required.	Less than Significant
3.3-6 Would the project conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	~~Less than~~Potentially Significant	~~No~~ Implement mitigation measures **BIO-1** to **BIO-9**~~required~~.	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.3-7 Would the project result in cumulative impacts related to biological resources?	Potentially Significant	Implement mitigation measures **BIO-1** through **BIO-9.**	Less than Significant
Cultural Resources			
3.4-1 Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	Potentially Significant	**CR-1** **Cultural Resources Monitoring Program.** Prior to the commencement of any ground disturbing activities, a Cultural Resource Mitigation Monitoring Program shall be established to provide for the identification, evaluation, treatment, and protection of any cultural resources that are affected by or may be discovered during the construction of the proposed project. The monitoring shall consist of the full-time presence of a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for ~~prehistoric~~ "pre-historic" (i.e., pre-contact) and historic archaeology. Further, a Native American monitor from ~~a~~ each tribe that is traditionally and culturally affiliated (TCA) with the project area that has requested tribal cultural monitoring during the AB52 Consultation process shall be retained to monitor all ground-disturbing activities associated with project construction, including vegetation removal, clearing, grading, trenching, excavation, or other activities that may disturb original (pre-project) ground, including the placement of imported fill materials and related roadway improvements (i.e., for access). • The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. • Prior to the start of construction activities, the project proponent shall submit a letter of engagement or a copy of a monitoring contract to the City to demonstrate that each archaeological and culturally affiliated Native American monitors have been retained for the project.	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		• The qualified archaeologist and each TCA Native American monitor shall attend all applicable preconstruction meetings with the contractor and/or associated subcontractors. • Monitors shall be provided at least 72 hours notice of the initiation of construction and be kept reasonably apprised of changes to the construction schedule. In the event that a monitor is not present at the scheduled time, work can continue without the monitor present, as long as the notice was given and documented. • A reburial location shall be identified as an "environmentally sensitive area" on project plans and communicated to the consulting tribes. If cultural materials discovered during project construction are reburied in this location, the landowner shall record a deed restriction over the reburial area within 30 days of the completion of ground disturbing activities. If the location is not used for reburial of materials, then recording a deed restriction on this location shall not be required. *During Construction* • The qualified archaeologist shall maintain ongoing collaborative consultation with ~~the~~ each TCA Native American monitor during all ground-disturbing or altering activities, as identified above. • The qualified archaeologist and/or each TCA Native American monitor shall have the authority to temporarily halt ground-disturbing activities if archaeological artifact deposits or cultural features are discovered. In general, if subsurface deposits believed to be cultural or human in origin are discovered during construction, all work shall halt within a 100-foot radius of the discovery and ground-disturbing activities shall be temporarily directed away from these deposits to allow a determination of	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		potential significance, the subject of which shall be determined by the qualified archaeologist and the TCA Native American monitor(s). Ground-disturbing activities shall not resume until the qualified archaeologist, in consultation with ~~the~~ each TCA Native American monitor, deems the cultural resource or feature has been appropriately documented and/or protected. At the qualified archaeologist's discretion, the location of ground-disturbing activities may be relocated elsewhere on the project site to avoid further disturbance of cultural resources. • If the professional archaeologist determines with full agreement from the TCA monitor(s) that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required. • The avoidance and protection of discovered unknown and significant cultural resources and/or unique archaeological resources is the preferable mitigation for the proposed project. If avoidance is not feasible, a Data Recovery Plan may be authorized by the City as the lead agency under CEQA. If a Data Recovery Plan is required, then ~~the~~ each TCA Native American monitor shall be notified and consulted in drafting and finalizing any such recovery plan. • The qualified archaeologist and/or each TCA Native American monitor may also halt ground-disturbing activities around known archaeological artifact deposits or cultural features if, in their respective opinions, there is the possibility that they could be damaged or destroyed. • The landowner shall relinquish ownership of all tribal cultural resources collected during the cultural resource mitigation monitoring conducted during all ground-disturbing activities, and	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		from any previous archaeological studies or excavations on the project site, to each~~the~~ TCA Native American Tribe for respectful and dignified treatment and disposition, including reburial, in accordance with the tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the most likely descendant as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98. **CR-2** **Prepare Monitoring Report and/or Evaluation Report.** Prior to the release of the Grading Bond, a Monitoring Report and/or Evaluation Report, which describes the results, analysis, and conclusions of the cultural resource mitigation monitoring efforts (such as but not limited to the Research Design and Data Recovery Program), shall be submitted by the qualified archaeologist, along with the TCA Native American monitor's notes and comments, to the City's Development Services Director for approval. **CR-3** **Identification of Human Remains.** As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the qualified archaeologist and/or the TCA Native American monitor) shall occur until the coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the qualified	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the coroner shall determine within two working days of being notified if the remains are subject to his or her authority. If the coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall make a determination as to the most likely descendent. If Native American remains are discovered, the remains shall be kept in situ ("in place"), or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of the TCA Native American monitor.	
3.4-2 Would the project cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5?	Potentially Significant	Implement mitigation measures **CR-1** and **CR-2.**	Less than Significant
3.4-3 Would the project disturb any human remains, including those interred outside of formal cemeteries?	Potentially Significant	Implement mitigation measure **CR-3.**	Less than Significant
3.4-4 Would the project result in cumulative impacts related to historical and archaeological resources?	Potentially Significant	Implement mitigation measures **CR-1** to **CR-3**.	Less than Significant
Energy Conservation and Climate Change			
3.5-1 Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less than Significant	No mitigation measures required.	Less than Significant
3.5-2 Would the project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less than Significant	No mitigation measures required.	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.5-3 Would the project generate greenhouse gas emissions that when combined with other related cumulative projects, could have a significant impact on global climate change?	Less than Significant	No mitigation measures required.	Less than Significant
3.5-4 Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than Significant	No mitigation measures required.	Less than Significant
3.5-5 Would the project conflict or obstruct a state or local plan for renewable energy or energy efficiency?	Less than Significant	No mitigation measures required.	Less than Significant
3.5-6 Would the project would in cumulative impacts related to energy conservation and climate change?	Less than Significant	No mitigation measures required.	Less than Significant
Geology and Soils			
3.6-1 Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map?	Less than Significant	No mitigation measures required.	Less than Significant
3.6-2 Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?	Less than Significant	No mitigation measures required.	Less than Significant
3.6-3 Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?	Less than Significant	No mitigation measures required.	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.6-4 Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?	Less than Significant	No mitigation measures required.	Less than Significant
3.6-5 Would the project result in substantial soil erosion or the loss of topsoil?	Less than Significant	No mitigation measures required.	Less than Significant
3.6-6 Would the project site be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	Less than Significant	No mitigation measures required.	Less than Significant
3.6-7 Would the project be located on expansive soil, creating substantial risks to life or property?	Less than Significant	No mitigation measures required.	Less than Significant
3.6-8 Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Less than Significant	No mitigation measures required.	Less than Significant
3.6-9 Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially Significant	**GEO-1 Paleontological Data Recovery and Monitoring Plan.** A Data Recovery and Monitoring Plan shall be prepared to the satisfaction of the City. The plan shall document paleontological recovery methods. 1. Prior to grading permit issuance, the project applicant shall implement a paleontological monitoring and recovery program consisting of the following measures, which shall be included on project grading plans to the satisfaction of the Development Services Department:	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		a. The project applicant shall retain the services of a qualified paleontologist to conduct a paleontological monitoring and recovery program. A qualified paleontologist is defined as an individual having an MS or PhD degree in paleontology or geology, and who is a recognized expert in the identification of fossil materials and the application of paleontological recovery procedures and techniques. As part of the monitoring program, a paleontological monitor may work under the direction of a qualified paleontologist. A paleontological monitor is defined as an individual having experience in the collection and salvage of fossil materials. b. The qualified paleontologist shall attend the project preconstruction meeting to consult with the grading and excavation contractors concerning the grading plan and paleontological field techniques. c. The qualified paleontologist or paleontological monitor shall be on-site during grading and/or excavation of previously undisturbed deposits of moderate and high sensitivity geologic units (e.g., Santiago Formation) to inspect exposures for any contained fossils. If the qualified paleontologist or paleontological monitor ascertains that the noted formations are not fossil-bearing, the qualified paleontologist shall have the authority to terminate the monitoring program. The paleontological monitor shall work under the direction of a qualified paleontologist. An adaptive approach is recommended, which involves initial part-time paleontological monitoring (e.g., up to 4 hours per day). As the project proceeds, the qualified paleontologist shall evaluate the monitoring results and, in consultation with the City and	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		subject to the City's consent, may revise the monitoring schedule (i.e., maintain part-time monitoring, increase to full-time monitoring, or cease all monitoring). d. If fossils are discovered, recovery shall be conducted by the qualified paleontologist or paleontological monitor. In most cases, fossil salvage can be completed in a short period of time, although some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances, the paleontologist (or paleontological monitor) shall have the authority to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. e. If subsurface bones or other potential fossils are found anywhere within the project site by construction personnel in the absence of a qualified paleontologist or paleontological monitor, the qualified paleontologist shall be notified immediately to assess their significance and make further recommendations. f. Fossil remains collected during monitoring and salvage shall be cleaned, sorted, and catalogued. Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in a scientific institution with permanent paleontological collections such as the San Diego Natural History Museum. 2. Prior to building permit issuance, a final summary report outlining the results of the mitigation program shall be prepared by the qualified paleontologist and submitted to the Development Services Department for concurrence. This report shall include discussions of the methods used, stratigraphic section(s) exposed,	

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		fossils collected, and significance of recovered fossils, as well as appropriate maps.	
3.6-10 Would the project result in cumulative impacts related to geology and soils?	Potentially Significant	Implement mitigation measure **GEO-1**.	Less than Significant
Hazards and Hazardous Materials			
3.7-1 Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or would it create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less than Significant	No mitigation measures required.	Less than Significant
3.7-2 Would have the potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less than Significant	No mitigation measures required.	Less than Significant
3.7-3 Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less than Significant	No mitigation measures required.	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.7-4 Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than Significant	No mitigation measures required.	Less than Significant
3.7-5 For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	Less than Significant	No mitigation measures required.	Less than Significant
3.7-6 Would the project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	Less than Significant	No mitigation measures required.	Less than Significant
3.7-7 Would the project expose people or structures to a significant risk of loss, injury, or death involving wildland fires?	Less than Significant	No mitigation measures required.	Less than Significant
3.7-8 Would the project result in cumulative impact related to hazards and hazardous materials?	Less than Significant	No mitigation measures required.	Less than Significant
Hydrology and Water Quality			
3.8-1 Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Less than Significant	No mitigation measures required.	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.8-2 Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less than Significant	No mitigation measures required.	Less than Significant
3.8-3 Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?	Less than Significant	No mitigation measures required.	Less than Significant
3.8-4 Would the substantially increase the rate or amount of surface runoff in a manner which would result flooding on- or 0ff-site?	Less than Significant	No mitigation measures required.	Less than Significant
3.8-5 Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	Less than Significant	No mitigation measures required.	Less than Significant
3.8-6 Would the implementation of the project risk the release of pollutants due to project inundation from a flood, tsunami, or seiche zones?	Less than Significant	No mitigation measures required.	Less than Significant
3.8-7 Would the project conflict with or obstruct implementation of a water quality control pan or sustainable groundwater management plan?	Less than Significant	No mitigation measures required.	Less than Significant
3.8-9 Would the project create cumulative hydrology and water quality impacts?	Less than Significant	No mitigation measures required.	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
Land Use and Planning			
3.9-1 Would the project physically divide an established community?	Less than Significant	No mitigation measures required.	Less than Significant
3.9-2 Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less than Significant	No mitigation measures required.	Less than Significant
3.9-3 Would the project result in cumulative land use impacts?	Less than Significant	No mitigation measures required.	Less than Significant
Noise			
3.10-1 Would the project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Potentially Significant	**NOI-1** **Construction Noise Control Plan.** A Construction Noise Control Plan shall be prepared to the satisfaction of the City. The plan shall demonstrate compliance with the City's noise ordinance, including the requirements that construction equipment, or combination of equipment, would not sustain or exceed the City's 75 dBA significance threshold continuously over the course of an 8 hour period. **NOI-2** **Noise Barriers.** A minimum 5-foot noise barrier shall be located along private rooftop decks and a minimum 8-foot barrier shall be located around the on-site common pool area.	Less than Significant
3.10-2 Would the project generate excessive groundborne vibration or groundborne noise levels?	Less than Significant	No mitigation measures required.	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.10-3 Would the project be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Less than Significant	No mitigation measures required.	Less than Significant
3.10-4 Would the project result in cumulative noise impacts?	Less than Significant	No mitigation measures required.	Less than Significant
Public Services and Recreation			
3.11-1 Would the project result in substantial adverse physical impacts to fire protection services due to the provision of new or physically altered governmental facilities?	Less than Significant	No mitigation measures required.	Less than Significant
3.11-2 Would the project result in substantial adverse physical impacts to police protection services due to the provision of new or physically altered governmental facilities?	Less than Significant	No mitigation measures required.	Less than Significant
3.11-3 Would the project result in substantial adverse physical impacts to schools due to the provision of new or physically altered governmental facilities?	Less than Significant	No mitigation measures required.	Less than Significant
3.11-4 Would the project increase the use of existing neighborhood and regional parks or other recreational facilities?	Less than Significant	No mitigation measures required.	Less than Significant
3.11-5 Would the project result in substantial adverse physical impacts to other public facilities due to the provision of new or physically altered governmental facilities?	Less than Significant	No mitigation measures required.	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.11-6 Would the project result in a cumulatively considerable impact to public services and recreation?	Less than Significant	No mitigation measures required.	Less than Significant
Transportation			
3.12-1 Would the project conflict a plan, ordinance or policy addressing the circulation system, including transit roadway, bicycle and pedestrian facilities?	Less than Significant	No mitigation measures required.	Less than Significant
3.12-2 Would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	Potentially Significant	No feasible mitigation measures identified.	Significant and Unavoidable
3.12-3 Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than Significant	No mitigation measures required.	Less than Significant
3.12-4 Would the project result in inadequate emergency access?	Less than Significant	No mitigation measures required.	Less than Significant
3.12-5 Would the project result in cumulative transportation impacts?	Potentially Significant	No feasible mitigation measures identified.	Significant and Unavoidable

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
Tribal Cultural Resources			
3.13-1 Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: • Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? • A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Potentially Significant	Implement mitigation measures **CR-1** to **CR-3**.	Less than Significant
3.13-2 Would the project result in cumulative impacts related to tribal cultural resources?	Potentially Significant	Implement mitigation measures **CR-1** to **CR-3**.	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
Utilities and Service Systems			
3.14-1 Would the project require or result in the relocation or construction of new or expanded water or wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less than Significant	No mitigation measures required.	Less than Significant
3.14-2 Would the project have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	Less than Significant	No mitigation measures required.	Less than Significant
3.14-3 Would the project result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Less than Significant	No mitigation measures required.	Less than Significant
3.14-4 Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less than Significant	No mitigation measures required.	Less than Significant
3.14-5 Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less than Significant	No mitigation measures required.	Less than Significant
3.14-6 Would the project result in a significant cumulative impact related to utilities and service systems?	Less than Significant	No mitigation measures required.	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
Wildfire			
3.15-1 Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?	Less than Significant	No mitigation measures required.	Less than Significant
3.15-2 Would the project exacerbate wildfire risks due to slope, prevailing winds, and other factors and therefore ~~would not~~ expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?	Potentially Significant	**WF-1 Fire Protection Plan** Prior to occupancy, the following measures identified in the Fire Protection Plan (Firewise2000, LLC 2022) shall be implemented to reduce potential fire threat and provide heightened fire protection. 1. A fuel modification zone shall be provided to the north of the proposed retaining wall located along the northern boundary of the development area, extending 100 feet from the north side of the wall. This fuel modification zone shall include 50 feet of irrigated Zones 1A and 1B adjacent to each structure followed by 50 feet of non-irrigated thinning Zone 2. The homeowners association shall be required to oversee and perform the described fuel treatments as described in the Fire Protection Plan on an ongoing basis. 2. Prior to occupancy, the homeowners association shall be approved and in place to ensure ongoing fire safety. 3. All newly constructed structures shall be built to ignition resistant building requirements, including the installation of automatic interior fire sprinkler systems. 4. All vents used in the proposed on-site structures shall be "Brandguard," "O'Hagin Fire & Ice Line – Flame and Ember Resistant," or equivalent type vents. 5. All operable windows shall be provided with metal (not vinyl) mesh bug screens over the operable opening to prevent embers from	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
		entering the structure during high wind conditions when windows may be inadvertently left open. 6. As mitigation for driveways that exceed 150 feet in length, the following additional building measures shall be required of the structures shown in grey on the Fire Protection Plan Map (Appendix F of the Fire Protection Plan; Firewise2000, LLC 2022): a. Exterior walls facing the driveway shall have two hour rated walls. b. Interior fire sprinkler shall be extended to the attic space including the areas over bathrooms and closets. **WF-2 Construction Fire Protection Plan** 1. Prior to the commencement of project construction, the following measures shall be completed: a. During construction, at least 50 feet of clearance around the structures shall be kept free of all flammable vegetation as an interim fuel modification zone, with exception of where habitat protection is required. b. In reference to mitigation measure BIO-8, a Limited Building Zone easement shall be granted to the City of Encinitas.	
3.15-3 Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	Less than Significant	No mitigation measures required.	Less than Significant

Table ES-1, continued

Impact	Level of Significance without Mitigation	Mitigation Measure	Resulting Level of Significance
3.15-4 Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	Less than Significant	No mitigation measures required.	Less than Significant
3.15-5 Would the project result in a significant cumulative impact related to wildfire?	Potentially Significant	Implement mitigation measures **WF-1** and **WF-2**.	Less than Significant

SUMMARY OF PROJECT ALTERNATIVES

CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to a project that could feasibly attain the basic objectives of a project and avoid or lessen the environmental effects of a project. Further, CEQA Guidelines Section 15126.6(e) requires that a "no project" alternative be evaluated in an EIR as well as any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process. Section 5.0, Alternatives, of this EIR includes a detailed discussion and a qualitative analysis of alternatives that have been rejected by the City, as well as the following scenarios considered to be feasible alternatives to the project as proposed.

ALTERNATIVES TO THE PROPOSED PROJECT

Potential environmental impacts associated with three alternatives are compared below to assess impacts from the proposed project. Table ES-2, Comparison of Alternative Project Impacts to the Proposed Project, summarizes the potential impact of each alternative on the environmental resources evaluated in the EIR that require mitigation as compared to the proposed project.

Table ES-2: Comparison of Alternative Project Impacts to the Proposed Project

Topic	Alternative 1: No Project/No Development Alternative	Alternative 2: Reduced Development Footprint Alternative
Air Quality	<	=
Biological Resources	<	<
Cultural and Tribal Cultural Resources	<	<
Geology and Soils (Paleontological Resources)	<	<
Noise	<	=
Transportation	<	=
Wildfire	<	=

Notes:

= Impact is equivalent to impact of proposed project (neither environmentally superior nor inferior).

< Impact is less than impact of proposed project (environmentally superior).

> Impact is greater than impact of proposed project (environmentally inferior).

[1] Transportation impacts are based upon VMT (not traffic) Refer to Section 3.12, Transportation.

Alternative 1: No Project/No Development Alternative

Description of Alternative

As part of the City's 2013-2021 General Plan Housing Element Update (HEU), the project site was designated with an R-30 Overlay and allocated up to 206 residential units (6.88 acres x 30 DU/acre) prior to application of a density bonus. With the application of density bonus, the project could support up to 310 homes. No changes to the existing land use or zoning classification are required or proposed to allow for implementation of the project as currently proposed.

Under the No Project Alternative, the project as proposed would not be approved and future development would not occur. As such, the project site would remain undeveloped, vacant land. Although found to be a less than significant impact in this EIR, and therefore not further evaluated in this alternative analysis, this alternative would generally reduce effects related to aesthetics, air quality, energy conservation and greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, public services and recreation, and utilities as no new development would occur on-site and the site would remain in its current condition. However, a significant and unavoidable impact relative to transportation would not occur with this alternative.

It should be noted that this alternative would not be consistent with the City's requirement to provide for housing per the HEU and the City's obligations under the Regional Housing Needs Assessment. Further, this alternative would not meet any of the stated project objectives, as no development would occur.

Alternative 1 Summary

As ground-disturbing activities would not occur as part of this alternative, impacts to sensitive biological resources would be reduced compared to the proposed project; however, this alternative would not ensure the long-term preservation of the off-site preserve area. Impacts relative to air quality; noise; cultural, tribal cultural, and paleontological resources (e.g., potential to inadvertently discover unknown resources); and wildfire would be reduced as the subject site would not be developed. This alternative would not result in transportation-related impacts as the project site is current undeveloped, and vacant land would not generate daily vehicle trips (or vehicle miles traveled).

As shown in Table ES-2, Comparison of Alternative Project Impacts to the Proposed Project, this alternative would result in reduced impacts relative to air quality, biological resources, cultural resources, geology and soils (paleontological resources), noise, tribal cultural resources, and transportation as compared to the proposed project. However, this alternative would not achieve

most of the project objectives including, but not limited to, providing housing options to support an inclusive, diverse community to meet current and future housing demand in the City; providing affordable housing for very low income families, thereby helping to meet the state-mandated affordable housing requirements within the community; or, providing dedicated on- and off-site open space for the long-term protection of sensitive habitat and species for biological mitigation purposes.

It should be noted that, based on the analysis included in Section 3.8, Hydrology and Water Quality, the proposed project would result in less than significant impacts to hydrology and water quality as it would incorporate the construction of new infrastructure improvements that would reduce runoff from the project site and treat water quality to standards consistent with the municipal separate storm sewer system (MS4) permit. Although not analyzed herein for this alternative because project impacts were determined to be less than significant, no such stormwater infrastructure improvements would be installed with the No Project/No Development Alternative and runoff from the site would continue to leave the property untreated (current condition). While this is part of the baseline under CEQA, it represents a greater potential impact to water quality and hydrology as compared the proposed project.

Alternative 2: Reduced Development Footprint Alternative

Description of Alternative

The Reduced Development Footprint Alternative would reduce the overall development footprint on-site and would allow for additional biological open space protection due to a reduction in the area required for brush clearance. As with the proposed project, the "off-site preserve area" would remain in its natural state under this alternative with no disturbance or improvements proposed. This parcel would serve as mitigation land for impacts resulting with development of the southern parcel ("project site").

The Reduced Development Footprint Alternative would result in construction of 149 multi-family residential units, similar to the proposed project. A similar mixture of unit types (52 one-bedroom homes, 37 two-bedroom homes, and 60 three-bedroom homes) is anticipated. Of the 149 residential units, 134 would be market-rate homes and 15 would be "very low" income affordable homes, similar to that proposed with the project. No amenities (e.g., pool, spa, pool house, or lounge seating) are proposed with the Reduced Footprint Alternative.

In order to achieve a reduced development footprint and maintain the same unit count, this alternative would require construction of two 5-story buildings, as compared to the 16 three-story buildings proposed with the project. As such, the on-site structures with the Reduced Development Footprint Alternative would reach an estimated 65 feet in total height.

Additionally, rooftop decks would not be proposed with the residential units and no amenities (common area/pool, spa, pool house, lounge seating) would be provided. This design approach would reduce potential adverse noise effects from traffic along Interstate 5 as compared to the project, although noise effects would still occur due to proximity of the freeway.

No individual parking garages would be provided for the residential units. Adequate parking (271 spaces) would be provided on-site in conformance with City requirements, similar to the proposed project.

Access to the site under this alternative would be provided via a single access point along Plato Place. No access would be provided from Piraeus Street.

Unlike the proposed project, this alternative does not propose vacating the approximately 0.25-acre area along the Plato Place frontage and 0.71 acres along the Piraeus Street frontage, adjacent to the project boundary. Maintaining the existing right-of-way would require more extensive on-site slope grading which would be visible from surrounding public roadways, as depicted in Figures 5.0-1B, 5.0-2B, and 5.0-4B.

This alternative would require approval of a Condominium Tentative Map, Density Bonus Tentative Map, Design Review Permit, and a Coastal Development Permit (non-appealable) to allow for development of the property, similar to that required for the proposed project. City approval of a waiver for building height limits pursuant to Density Bonus law would be required to allow for the exceedance in building height over that allowed within the Coastal Overlay Zone.

Figures 5.0-1A, -2A, -3A, and -4A show existing views of the project site from the southwest corner of Piraeus Street and Plato Place; near the southeastern portion of the project site; from 1690 Gascony Road (Station White); and from I-5, respectively (refer to Section 3.1 for additional descriptions of the existing views).

As shown in Figures 5.0-1B, -2B, and -4B, the on-site residential buildings would be substantially more visible from the corner of Piraeus Street and Plato Place, the southeastern portion of the project site, and I-5 when compared to the proposed project (refer to Section 3.1 for descriptions of views from each of these vantage points associated with development of the proposed project).

As shown in Figure 5.0-3B, the upper portions of the proposed alternative would be more visible as compared to the proposed project. However, views of the proposed alternative are not anticipated to be noticeable by passengers in vehicles traveling along Gascony Road or occupying the public seating area provided at this location, similar to the proposed project.

This alternative is anticipated to reduce ~~, to a degree,~~ significant impacts on biological resources, cultural and tribal cultural resources, and geology and soils (paleontological resources) as compared to the proposed project. Impacts relative to transportation (VMT), would remain significant and unavoidable, similar to the proposed project.

It is worth noting that demands on public parks and recreational facilities would increase under this alternative, as no on-site common amenity space would be provided. Additionally, as building heights would substantially increase to accommodate a reduced development footprint, this alternative would further increase the degree of change to the existing visual setting as compared to the proposed project.

The increased building height would also exceed allowable height limits for the R-30 Overlay Zone and would therefore conflict with relative General Plan goals and policies, thereby requiring City approval of a waiver to allow for construction. Further, the site is located within a Very High Fire Hazard Severity Zone and is considered to be at greater risk for potential wildfire occurrence; refer also to Section 3.15, Wildfire. As a result, a 100 foot Fuel Modification Zone is required in order to ensure public safety. City General Plan Land Use Element Policy 1.13 and Public Safety Element Policy 1.3 require that brush clearance around structures for fire safety not exceed a 30-foot perimeter in areas of native or significant brush, and as provided by Resource Management Policy 10.1. It is anticipated that the Reduced Development Footprint Alternative could achieve consistency with this requirement due to the on-site placement of buildings, as compared to the proposed project which would require deviation from these policies (as stated in Section 10.04.010 of the Municipal Code) in order to meet Fuel Modification Zone requirements; refer to discussion under Biological Resources, below, and Section 3.9, Land Use and Planning.

Alternative 2 Summary

As shown in Table ES-2, Comparison of Alternative Project Impacts to the Proposed Project, this alternative would result in similar impacts relative to air quality, noise, and wildfire. Impacts to biological resources, cultural resources, geology and soils (paleontological resources), and tribal cultural resources would be reduced ~~to a degree~~, due to anticipated site design, grading requirements, and/or on-site building location. Additionally, impacts related to VMT would remain significant and unavoidable, as trip lengths per person would be unchanged as compared to the proposed project.

This alternative would achieve most of the project objectives, including but not limited to: providing housing options to support an inclusive, diverse community to meet current and future housing demand in the City; providing at least the minimum number of multi-family dwelling units and housing opportunities that are consistent with the goals of the adopted City of Encinitas Housing Element while protecting surrounding natural and aesthetic resources; providing

affordable housing within the project for very low income families, thereby helping to meet the state-mandated affordable housing requirements and further encouraging diversity within the community; providing dedicated on- and off-site open space for the long-term protection of sensitive habitat and species for biological mitigation purposes, as well for the protection of existing views, by concentrating development within a portion of the site; and providing a residential housing product aimed at meeting growing demand for for-sale multi-family townhomes. However, this alternative would not provide amenity space that would otherwise support community engagement and would not minimize visual impacts of the development, as building heights would exceed allowable limits within the City's Coastal Overlay Zone.